

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 14, 2009**

**DIVISION ONE**

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Ferns, J. (Assigned), Miller, J. (Assigned) and C. Hon, Deputy Clerk.

Each of the following:

B202934 People v. Chatman  
B204519 People v. Beatty  
B205748 People v. Servin  
B207042 People v. Lizarraga  
B207136 People v. Parada  
B207747 People v. J.M.  
B209515 People v. Lopez  
B211083 DCFS v. R.M.  
B211410 DCFS v. R.R.  
B211993 DCFS v. M.M. & J.M.  
B212858 DCFS v. E.W.  
B213510 DCFS v. J.A.  
B215379 I.C. v. SCLA (DCFS)

Argument waived, cause submitted.

Each of the following:

B209900      People v. Baskerville  
B209082      People v. Lemus  
B214264      Dela Rosa v. SCLA (The People)

Oral argument continued to August 18, 2009.

DIVISION ONE (continued)

B203953      Compton Unified School District  
                 v.  
                 Davis

Oral argument continued to September 22, 2009.

Each of the following:

B203220      People v. Clarke  
B205024      People v. Valenzuela

Matter is ordered off calendar.

B202363      Blake  
                 v.  
                 Parker et al.

Appearances:  
Shona Armstrong for appellant and no appearances for respondents.  
Argument waived, cause submitted.

B204576      People  
                 v.  
                 Ellis

Merits:  
Argued by Laura Hartquist, Deputy Attorney General for respondent and  
William L. Heyman appears for appellant and waives oral argument.  
Cause submitted.

B207319      People  
                 v.  
                 Davis

Merits:  
Argued by Eric R. Larson for appellant and by E. Carlos Dominguez,  
Deputy Attorney General for respondent. Cause submitted.

DIVISION ONE (continued)

B208952     People  
              v.  
              Strange

Merits:  
Argued by Irma Castillo for appellant and by Michael Keller, Deputy Attorney General for respondent. Cause submitted.

B207313     Housing Authority of The City of Los Angeles  
              v.  
              KPMG, LLP

Merits:  
Argued by Joseph Quinn for appellant and by Bradley H. Ellis for respondent. Cause submitted.

B211563     In re S.R. et al., Minors.  
              Los Angeles County, D.C.F.S.  
              v.  
              T.R.

Merits:  
Argued by Andrea St. Julian for appellant and by Aileen Wong, Deputy County Counsel for respondent. Cause submitted.

Mallano, P.J. and Miller, J. (Assigned) left the bench at 10:15 a.m.

B204889     Mojabi  
              v.  
              Mojabi

Merits:  
Argued by Shahrokh Mokhtarzadeh for appellant and by Gregory R. Ellis for respondent. Cause submitted.

Court adjourned.

July 14, 2009 (Continued)

## DIVISION ONE (continued)

B209526      Onebeacon America Insurance Company

V.

Fireman's Fund Insurance Company et al.

Filed order modifying opinion. Petitions for rehearing are denied. (No change in the judgment)

B201479      Nix III

V.

Asfour et al.

Filed order denying petition for rehearing. Request for judicial notice is denied.

B205545 People

V.

Torres

Filed order denying petition for rehearing.

DIVISION THREE

B209591 People

V.

Juan Antonio Gutierrez

(Not for Publication)

The appeal is dismissed

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

DIVISION FOUR

B204128      People  
v.  
Dudley

Filed order denying petition for rehearing.

B207131      People  
v.  
Torres

Filed order denying petition for rehearing.

DIVISION FIVE

B206735      People                                  (Not for Publication)  
v.  
Roderick Milner

The clerk is directed to amend the abstract of judgment by (1) striking the 10-year section 186.22 enhancement on count 1 and replacing it with a 15-year minimum parole eligibility date; and (2) awarding defendant 240 days of custody credit. A copy of the amended abstract shall be sent to the Department of Corrections and Rehabilitation. The judgment is otherwise affirmed in full.

Kriegler, J.

I concur: Armstrong, Acting P.J.  
I concur: Mosk, J. (opinion)

DIVISION FIVE (continued)

B216187      V.R.      (Not for Publication)

v.  
Superior Court, Los Angeles County  
(DCFS, r.p.i.)

The extraordinary relief petition is denied.

Turner, P.J.

We concur:    Armstrong, J.  
                  Kriegler, J.

B208806      People      (Not for Publication)

v.  
Michael John Lugo, et al.

The judgments are modified to delete the deoxyribonucleic acid penalties. The superior court clerk is to prepare amended abstracts of judgment which delete the deoxyribonucleic acid penalties and forward them to the Department of Corrections and Rehabilitation. The judgments are affirmed in all other respects.

Turner, P.J.

We concur:    Armstrong, J.  
                  Kriegler, J.

B202120      Arnulfo Vasquez

v.  
Juan Jose Interiano, et al

Filed order modifying opinion. (No change in the judgment)

July 14, 2009 (Continued)

DIVISION SIX

B210271 People (Not for Publication)  
v.  
Ramos

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B207914      People      (Not for Publication)  
v.  
Larry Williams et al.

The judgment as to Davis is conditionally reversed. The cause is remanded to the trial court with directions to hold a new hearing on Davis's Pitchess motion in conformance with the procedures described herein. If the trial court finds there are discoverable records, they shall be produced and the court shall conduct such further proceedings as are necessary and appropriate. If the court finds there are no discoverable records, or that there is discoverable information but Davis cannot establish he was prejudiced by the denial of discovery, the judgment as to Davis shall be reinstated as of that date. The judgment as to Williams is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

DIVISION SEVEN

B205490 People (Not for Publication)  
v.  
Guerra

The judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.  
Jackson, J.

B208770 People (Not for Publication)  
v.  
Ortega

The judgment is modified to add two \$20 security fees under Penal Code section 1468.8 to the judgment, so that the total security fee defendant is obligated to pay is \$40. As so modified, the judgment is affirmed. The cause is remanded to the superior court with directions to prepare a new abstract of judgment to reflect the modification in the judgment and to forward the new abstract to the corrections officials.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

## DIVISION EIGHT

B208279 People (Not for Publication)  
v.  
Alvaro Williamson

The judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Bauer, J. (Assigned)

July 14, 2009 (Continued)

## DIVISION SIX (continued)

B209068      People      (Not for Publication)  
v.  
E.M.,  
In re E.M., a Person Coming Under the Juvenile Court Law.

For the reasons set forth above, the juvenile court's order determining that minor was a ward of the court based on the robbery of K.A. is affirmed.

Rubin, Acting P.J.

We concur: Bigelow, J.  
Bendix, J. (Assigned)

B205509      People                                  (Not for Publication)  
v.  
Durrell Anthony Puckett

The judgment is modified to reflect a total of 358 days of custody credits. The court shall amend the abstract of judgment to reflect the modified presentence credit and forward copies to the Department of Corrections. In all other respects the judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Flier, J.